

## BUSINESS CARDS.

**JNO. E. HAMILTON,**  
Attorney & Counselor at Law,  
N. E. COR. SCOTT AND FOURTH STS.,  
COVINGTON, Ky.

WILL practice in the counties of Kenton,  
Campbell, Pendleton, and Boone.  
T. Collections made in the city of Cincinnati  
and county of Hamilton, State of Ohio.  
dec2 t-w&w

**Ben. J. Monroe,**  
Attorney and Counselor at Law, and  
General Land Agent,  
LEAVENWORTH CITY, KANSAS.

WILL practice law in all the Courts of the Ter-  
ritory and Western Missouri, and remittances  
promptly made. Money invested and rents collected  
and remitted.  
Office on South Delaware street, between Second  
and Third. oct4 w&w

**A. J. JAMES,**  
Attorney and Counselor at Law,  
FRANKFORT, KY.

Office on St. Clair street, near the Branch  
Bank of Kentucky. feb23 w&w

**JAMES P. METCALFE,**  
ATTORNEY AT LAW,  
FRANKFORT, KY.

WILL practice in the Court of Appeals. Office  
on St. Clair street, over Dr. Wood & Rod-  
man's. feb23 w&w

**G. W. CRADDOCK,**  
CRADDOCK & CRADDOCK,  
ATTORNEYS AT LAW,  
Frankfort, Ky.

OFFICE on St. Clair street, next door south of the  
Branch Bank of Kentucky.  
WILL practice law in partnership in all the Courts  
held in the city of Frankfort, and in the Circuit  
Courts of the adjoining counties. jan2 w&w

**T. N. & D. W. LINDSEY,**  
ATTORNEYS AT LAW,  
Frankfort, Ky.

WILL practice law in all the Courts in Frank-  
fort and the adjoining counties. Office on St.  
Clair street, four doors from the bridge.  
dec21 w&w

**JOHN A. MONROE,**  
ATTORNEY AND COUNSELOR AT LAW  
FRANKFORT, KY.

WILL practice law in the Court of Appeals, in the  
Franklin Circuit Court, and all other State  
Courts held in Frankfort, and will attend to the  
collection of debts for non-residents in any part of  
the State.  
He will as Commissioner of Deeds, take the knowl-  
edgements of deeds, and other writing to be used or  
recorded in other States; and as Commissioner un-  
der the act of Congress, attend to the taking of depo-  
sitions, affidavits, etc.  
Office on St. Clair street, opposite Mansion House.  
nov15 t.

**P. U. MAJOR,**  
ATTORNEY AT LAW,  
FRANKFORT, KY.

OFFICE on St. Clair street, near the Court House.  
WILL practice in the Circuit Courts of the 8th Ju-  
dicial District, Court of Appeals, Federal Court, and  
all other Courts held in Frankfort.

**S. D. MORRIS,**  
ATTORNEY & COUNSELLOR AT LAW  
FRANKFORT, KY.

PRACTICES in all the courts held in Frankfort,  
and in the adjoining counties. He will attend  
particularly to the collection of debts in any part of  
the State. All business confided to him will meet  
with prompt attention.  
Office on St. Clair street in the new building  
next door to the Branch Bank of Kentucky, over G.  
W. Craddock's office. mar7 t.

**JOHN M. HARLAN,**  
ATTORNEY AT LAW,  
Frankfort, Ky.

Office on St. Clair st., with James Harlan.  
**JOHN RODMAN**  
ATTORNEY AT LAW,  
ST. CLAIR STREET,  
Two doors North of the Court-house.  
'53 t. Frankfort, Ky.

**E. A. W. ROBERTS,**  
ATTORNEY AT LAW,  
FRANKFORT, KY.

WILL practice in the Franklin Circuit Court, and  
in the Courts of the adjoining counties.  
Office on St. Clair street, next door to  
Mr. Harlan's office. may19 t.

**GEORGE E. ROE,**  
ATTORNEY AT LAW,  
GREENUPSBURG, KY.

WILL practice law in the counties of Greenup,  
Lewis, Carter, and Lawrence, and in the Court  
of Appeals.  
Office on Main street, opposite the Court-House.  
jan14 t.

**JOHN M. McCALLA,**  
Attorney at Law and General Agent,  
WASHINGTON CITY, D. C.

WILL attend particularly to SUSPENDED and  
REJECTED CLAIMS—where based upon the  
want of official records. sep6 w&w

**CAPITAL HOTEL,**  
R. C. STEELE, Proprietor,  
Frankfort, Ky.

May 22, 1858—t.

**H. WHITTINGHAM,**  
Newspaper and Periodical Agent,  
FRANKFORT, KY.

CONTINUES to furnish American and Foreign  
Weekly, Monthly, and Quarterly, on the bar-  
tens. Advance Sheets received from twenty-four  
publishers. Back numbers supplied to complete  
sets. nov27 w&w

**NOW READY!**  
The New Code of Practice,  
In Civil and Criminal cases, for the State of Ken-  
tucky.  
P. S. Any one remitting me five dollars, shall re-  
ceive a copy free of postage.  
The above work for sale by S. C. BULL, Book-  
seller, Frankfort, Ky. mar29 w&w

**YOUNG GENTLEMEN**  
WANTING SOMETHING EXTRA IN THE  
WAY OF A  
Handsome Cloth Cap or Dress Hat,  
will do well to call and see those at  
SAM. C. BULL'S,  
Hot and Bookstore St. Clair Street.  
sep24 w&w

**EGBERT & WRIGHT,**  
HOUSE, SIGN, AND ORNAMENTAL PAINTERS  
IN all the late and fashionable styles, Gilding,  
Varnishing, and Polishing; Gilding, Zinc, Orna-  
mental and Grooving Painting; Gilding and Paper Hang-  
ing. All work done in the best manner and on the  
most reasonable terms. All orders promptly at-  
tended to. Shop on Main street, Frankfort, Ky.  
mar24 w&w

**Notice.**  
All persons indebted to the estate of Dr. C. G.  
A. Phyllian, deceased, are requested to come for-  
ward and settle immediately; and those having claims  
against said estate, are requested to present them  
for adjustment.  
JOHN L. PHYLLIAN, adm'r.  
mar2 w&w

**The Seamless Cap.**  
A NEW and beautiful style just come to hand at  
KEENON & CRUTCHER'S.  
feb23 w&w

## LOUISVILLE ADVERTISEMENTS.

**M. B. SWAIN,**  
MERCHANT TAILOR,  
AND DEALER IN GENTLEMEN'S  
FURNISHING GOODS,  
No. 4 Masonic Building,  
Louisville, Ky.

JOSEPH HADDOX ..... LOUIS HADDOX.  
mar10 w&w

**HADDOX & BRO.,**  
(SUCCESSORS TO JOHN R. HALL.)  
COACH AND CARRIAGE BUILDERS,  
Third st., east side, bet. Market and Jefferson,  
LOUISVILLE, KY.

WE will manufacture and keep on hand CAR-  
RIAGES of every description and latest fash-  
ion. oct1 w&w

**JAS. P. MARSHALL.....JOHN A. DICKINSON.**  
**NEW CAPETS**  
AND  
**House Furnishing Store.**

**MARSHALL & DICKINSON,**  
IMPORTERS & DEALERS,  
79 FOURTH ST., BETWEEN MAIN AND MARKET  
LOUISVILLE, KY.

WE are now opening an entirely new stock, em-  
bracing every variety, style, and quality of  
handloom. oct1 w&w

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KEENON & CRUTCHER'S.  
feb23 w&w

## LOUISVILLE ADVERTISEMENTS.

**HENRY WEHMEOFF,**  
UPHOLSTERER!  
No. 347 South Side Main St., bet. 2d  
and 3d, Louisville, Ky.

CONSTANTLY on hand Curtains, Gauds, Window  
Shades, and Trimmings, Spring Hair, Cotton,  
Moss, and Shuck Mattresses, Feather Pillows, and  
Bolsters.  
All kinds of Upholstery done at short notice  
and upon reasonable terms.  
mar22 w&w

**NEW GOODS**  
AT  
**C. T. MERRIMAN'S**  
SHAWL & MANTILLA  
HOUSE.

NEW early spring styles in Ladies Wrappings  
just received.  
PLAIN BLACK SILK MANTLES.  
BLACK SILK BOURNEURS. MODE CLOTHS.  
Entirely new in styles and color.

**National Hotel Building,**  
FOURTH STREET, LOUISVILLE, KY.  
feb10 d&w

**NEW MUSIC HOUSE!**  
**WM. MCARRELL,**  
MUSIC PUBLISHER  
AND DEALER IN  
**PIANOS, MELODEONS**  
BOUND AND SHEET MUSIC,  
Musical Instruments and Musical Merchandise  
Generally.

**No. 474 JEFFERSON STREET,**  
NORTH SIDE, BETWEEN THIRD AND FOURTH  
LOUISVILLE, KY.

HAVING JUST OPENED A NEW  
MUSIC HOUSE in this city, I beg  
leave to call the attention of my friends  
and the public generally to my stock,  
which is ENTIRELY NEW, and has been selected  
with great care. It shall be my aim to keep constantly  
on hand.

The very Best and Latest Publications  
A fine assortment of  
SUPERIOR PIANOS, MELODEONS, GUIT-  
TARS, VIOLINS, STRINGS, &c., &c.

Printed Catalogues forwarded on application.  
Music sent to any part of the country, post  
paid, on receipt of the order and money.  
Those in want of new and good Music or Instru-  
ments will do well to give me a call, as I am deter-  
mined to sell on the best terms.

**WM. MCARRELL,**  
474 Jefferson street,  
N. B. The friends and acquaintances of Mr. JOS. H.  
McCarrell will always find him at his old place,  
where he will be happy to fill their orders.  
sep22 w&w

**LOUISVILLE**  
**GALEN'S HEAD DISPENSARY,**  
ESTABLISHED 1850,  
FOR THE CURE OF ALL PRIVATE DIS-  
EASES, AND FOR THE SUPPRESSION  
OF QUACKERY.

Office located corner of Fifth and Court-Place  
Where those who have contracted  
disease may obtain the best of  
medical aid, and those whose sys-  
tems are tainted with venereal  
poison, may be speedily cured  
of their disease, and restored to  
the enjoyment of perfect health.  
Our office is conveniently arranged, so that per-  
sons may apply without the nature of their business  
being suspected.

The business of our office is strictly confidential.  
YOUNG MEN who have injured themselves by  
certain SECRET HABITS which unfit them for Mar-  
riage and the duties of life, and who are afflicted  
with venereal diseases, and a train of evils  
easier understood than described, by going through  
a course of treatment may be restored to health  
and vigor of mind and body. Those contemplating Mar-  
riage should first consult us with regard to their  
ability to perform its duties.

**MIDDLE AGED MEN** who from the fol-  
lies of youth, or other causes, feel a debility in ad-  
vance of their years, may be reinvigorated to a nat-  
ural degree by our ANTI-CLIMACTIC REMEDY.  
"A PHYSIOLOGICAL TREATISE," for private  
reading, on the effects of self-abuse, private diseases,  
and other matters relating to both sexes, 32 pages,  
16 mo., with engravings illustrating the matter treat-  
ed, of may be had gratis on application or by mail.  
TO FEMALES—Special attention given to the dis-  
eases of Females, Leucorrhoea, or "Whites" Chloro-  
sis, Menstrual Disease, Womb Complaint, &c.—  
Also, agent for DOCTORS' REMEDY, a certain and  
MONTHLY REGULATOR, safe and certain remedy  
for Obstructions, Irregularities, &c., and is the  
only reliable "preventive of pregnancy," warranted  
not to injure the health. CAUTION—It should not  
be used during pregnancy, as MISCARriage would be  
the result, though always harmless. Price \$1 per  
box, and may be sent by mail.

**PATIENTS AT A DISTANCE** wishing to be cured  
at home, with perfect secrecy, by sending me a brief  
statement of case, will be furnished with a BLANK  
CARD, which, being filled out and returned to me,  
will indicate the disease much better than it could  
be described on a personal interview, and medicines  
will be sent, free of charge, under seal, to any place  
in the Union. Arrangements made for those who  
wish to come to the city and remain under treat-  
ment.

OFFICE HOURS—Daily from 8 A. M. to 9 P. M.  
(Sundays 8 to 10 A. M.) Office, corner Fifth street  
and Court-Place, up stairs, between Jefferson and  
Market.  
DR. T. WILLIAMS, Louisville, Ky.  
apr5 w&w

**BROWN'S**  
BRONCHIAL  
TROCHES

Coughs, Colds, Hoarseness and  
Inflammation of the Throat, Croup,  
or any affection of the Throat CUR-  
ED, the Hacking Cough in Con-  
sumption, Whooping Cough, and  
Croup, Asthma, Catarrh, RE-  
LIEVED BY BROWN'S BRON-  
CHIAL TROCHES, or Cough Loz-  
enges.

"A simple and elegant combination for COUGHS,  
&c."  
"I recommend their use to all who are afflicted with  
"Most salutary relief in BRONCHITIS."  
Rev. S. SEIGRIF, Morristown, Ohio.  
"Beneficial when compelled to speak, suffering  
from COLD."  
Rev. S. J. P. ANDERSON, St. Louis.  
"Efficient in removing Hoarseness and Irritation  
of the Throat, so common with SPEAKERS  
and SINGERS."  
Prof. M. STACY JOHNSON, LaGrange, Ga.  
Teacher of Music, Southern Female College.  
"Great benefit when taken before and after  
preaching, as they prevent Hoarseness. From their  
past effect, I think they will be of great service."  
Rev. E. ROWLEY, A. M.  
President Athens College, Tenn.  
Sold by all Druggists, at 25 cents per box.  
Also, BROWN'S LAXATIVE TROCHES, or Cathartic  
Lozenges, for Dyspepsia, Indigestion, Constipa-  
tion, Headache, Bilious Affections, &c.  
jan24 w&w

**BROADWAY HOTEL,**  
Lexington, Ky.

THE subscriber would respectfully announce to  
the public, that he has purchased this well  
known, popular house, and will continue the busi-  
ness heretofore.

The house is in good repair, elegantly furnished,  
and it will be kept in the style of the best first class  
hotels. The traveling public may rely upon proper  
attention and the accommodations.

I shall be thankful for a continuance of the pa-  
trons of the old customers and friends of the house,  
and shall spare no labor or expense to make new  
ones.

IF the familiar face of Mr. CURRY, can still be  
seen in the  
jan2 d&w

**CINCINNATI ADVERTISEMENTS.**  
**MANUFACTURERS' ARTICLES.**  
**J. & C. REAKIRT,**  
52 Second Street, Cincinnati, O.

KEEP A FULL SUPPLY OF  
Manufacturers' Articles,  
Carding Machines,  
Warp on Beam, assorted colors,  
Machine Cards,  
Wire Heddles and Frames,  
Shuttles,  
Steel Reels and Pickers,  
Lacing and Picker Leather,  
Harness Twine,  
Hand Cards, Tenter Hooks,  
Comb Plates, &c., &c.

ALSO, A FULL ASSORTMENT OF  
Dye-Stuffs, Cochineal  
Indigo, Carthage if you,  
Log Wood, Sumac,  
Cam. Wood, &c., &c.  
sep29 w&w

**DO YOU**  
**DO YOU**  
**DO YOU**  
WANT  
WANT  
WANT  
**EMPLOYMENT!**  
**EMPLOYMENT!**  
**EMPLOYMENT!**  
READ THIS!

I want an energetic man to canvass each County in  
the United States and Canada, and sell some new  
Historical, Biographical, and Literary Books, and  
these works are sold exclusively by my own  
Agents, and are never placed in BOOK STORES FOR  
SALE.  
Since February 4th I have sent out 100 men to op-  
erate for these works, and "still there is room." If  
you want a profitable employment, and at the same  
time an honorable calling, send me your address, and  
I will mail you, free of postage, my catalogue, terms  
to Agents, and the actual reports of some of my men  
who are at work, and leave you to decide if you, too,  
may not make this business both agreeable and pro-  
fitable. Address: MACK R. BARNETT,  
Book and Map Publisher, Cincinnati, Ohio.  
sep29 w&w

**MILLINERY.**  
BONNETS,  
RIBBONS,  
FLOWERS,  
FEATHERS,  
RUCHES,  
HEAD DRESSES,  
HAIR PINS,  
CLOAKS,  
And Other Millinery and Fancy  
Goods,  
of the latest Paris and New York styles, now open  
at No. 18 West Fifth street, Cincinnati, Ohio.  
J. A. HENDERSON.  
sep29 w&w

**ENGLISH**  
**CARPETING**  
RINGWALT & AVERY,  
IMPORTERS OF DEALERS IN  
**CARPETING.**  
OIL CLOTHS AND DRAPERY,  
PIKE'S OPERA HOUSE BUILDING,  
No. 69 WEST FOURTH STREET,  
CINCINNATI, OHIO.  
jan2 w&w

**EDWIN R. BART.....WM. C. HICKOCK.**  
**Bart & Hickock,**  
WHOLESALE AND RETAIL DEALERS IN  
**GOODYEAR'S INDIA RUBBER GOODS,**  
**HONG, STEAM PACKING MACHINE BELT-**  
**ING, at Factory prices.** Also, rich Fancy Goods  
in very great variety. Orders from dealers promptly  
attended to, at 49 West Fourth st., Cincinnati, Ohio.  
apr7 w&w

**RALPH C. McCracken,**  
FASHIONABLE  
**SHIRT MANUFACTURER.**  
A. D. Dealers in fine linens and gents' furnishing  
goods, No. 19 W. Fourth St., South Side, bet.  
Main and Walnut, Cincinnati, O., opposite the first  
Presbyterian church. Sign of the Marble Shirt.  
Shirts made to order by measurement and war-  
ranted to fit.  
feb5 w&w

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**MANUFACTURERS' ARTICLES.**  
**J. & C. REAKIRT,**  
52 Second Street, Cincinnati, O.

KEEP A FULL SUPPLY OF  
Manufacturers' Articles,  
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Machine Cards,  
Wire Heddles and Frames,  
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Steel Reels and Pickers,  
Lacing and Picker Leather,  
Harness Twine,  
Hand Cards, Tenter Hooks,  
Comb Plates, &c., &c.

ALSO, A FULL ASSORTMENT OF  
Dye-Stuffs, Cochineal  
Indigo, Carthage if you,  
Log Wood, Sumac,  
Cam. Wood, &c., &c.  
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READ THIS!

I want an energetic man to canvass each County in  
the United States and Canada, and sell some new  
Historical, Biographical, and Literary Books, and  
these works are sold exclusively by my own  
Agents, and are never placed in BOOK STORES FOR  
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Since February 4th I have sent out 100 men to op-  
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you want a profitable employment, and at the same  
time an honorable calling, send me your address, and  
I will mail you, free of postage, my catalogue, terms  
to Agents, and the actual reports of some of my men  
who are at work, and leave you to decide if you, too,  
may not make this business both agreeable and pro-  
fitable. Address: MACK R. BARNETT,  
Book and Map Publisher, Cincinnati, Ohio.  
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**MILLINERY.**  
BONNETS,  
RIBBONS,  
FLOWERS,  
FEATHERS,  
RUCHES,  
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**JOHN SHILLITO & CO.,**  
Nos. 101, 103 and 105 West Fourth St.  
CINCINNATI, OHIO.

IMPORTERS OF  
**DRY GOODS AND CARPETING.**  
RESPECTFULLY inform their customers and  
purchasers generally that they are now opening  
an extensive and complete assortment of  
Dry Goods, Carpeting, Floor Oil  
Cloths, &c., &c.  
Families, Hotel Keepers, Steamboat owners, and  
all others may depend upon finding the best class of  
Goods, at prices as low as they can be purchased in  
the Eastern cities.  
sep29 w&w

**MAGNOLIA HOUSE,**  
MADISON ST., BET. PIKE AND SEVENTH,  
COVINGTON, KY.

**C. BLACKBURN.....Proprietor.**  
Location Central; Accommodations Good; Charges  
Moderate.  
If the patronage of the public is respectfully  
solicited.  
feb2 w&w

**B. F. DINKLE,**  
BECS to inform his friends, and citizens of Frank-  
fort and surrounding counties generally, that he  
is prepared to execute all descriptions of House,  
Sign, and Fancy Painting, in the best style, and on  
moderate terms.  
Jobs attended to in town and country, and satisfac-  
tion warranted in all cases. Orders left at the hard-  
ware store of Mr. John Haley, next door to the arm-  
ory Bank, will receive the most prompt attention.  
jan11 w&w

**PORTER & HOAG, PROPRIETORS.**  
THIS is the largest

## Acts of 1859-60.

The General Laws passed at the last session of the Legislature, edited by the Attorney General, can be had at this office, in pamphlet form, for \$1 per copy. We send it to order by mail at this price, free of postage.

Rev. Milligan, President of Kentucky University, will preach in the Christian Church (to-morrow) Lord's day, morning and night.

Rev. George Varden, of Paris, Ky., will preach at the Baptist Church in this city, on Sabbath morning, (to-morrow) at 11 o'clock.

## Attention Guards!

A full meeting of the Governor's Guards is requested at the Yeoman office, this evening, as business of importance will be brought before the company.

By order of the Captain.

R. H. KING, O. S.

Thomas A. Hendricks, formerly Commissioner of the United States General Land Office, is the Democratic nominee for Governor of Indiana. He was born in Muskingum county, O., September 7, 1819; was educated at South Hanover College, Indiana; completed his law studies at Chambersburg, Penn., in 1843.

THE MILITARY OF MASSACHUSETTS IN A ROW.—Adjutant General Stone, of the Massachusetts militia, was removed some time since by Gov. Banks, that the place might be filled and the salary (\$2,500 per annum) drawn by a political friend of the Governor, Col. Schouler. The militia of the State feel indignant at the change. It appears to be a general feeling among them that Gen. Stone was fitted for the place, and had filled it with honor to himself and advantage to the militia; and that Col. Schouler was not fitted for the position, and would not discharge its duties well.

APPROPRIATE APPOINTMENT.—Mrs. Mary Chestnut, mother of the Senator from South Carolina, has been appointed Vice-President of the Mount Vernon Association of that State. She is 85 years of age, and had a personal acquaintance with Gen. Washington. In the spring of 1789 Washington visited Trenton, and was received with the most enthusiastic demonstrations by the people, especially by the ladies. A "triumphal arch" was erected on the bridge over the Assanpink creek, at the entrance of which six young girls strewed flowers before him, and sang a song of welcome. One of these girls is now Mrs. Chestnut. And she who in dawn of life sang the song of triumph welcome to "The Hero," now in its wane joins those who are endeavoring to pay the noblest tributes to the hero's memory.

The Governor's Guards have purchased the material for their uniform, and our enterprising friend, John W. Voorhis, who, by the way, is a member, is busily engaged in making them up. A dress parade is ordered for Saturday, May 5th.

We call the attention of those wishing to purchase Swords, Sashes, Epulettes, and other military goods, to the advertisement of Mr. John Boner, to be found in another column.

It is proposed to hold a Democratic Convention at Irvine, Estill county, on the 15th of May, to nominate a candidate for Judge of the Court of Appeals for the First Appellate district.

A man by the name of Collier has been "moved" from Alexandria for instigating negroes to runaway. A collection was made, a value put upon his property, the money paid over, and he sent on his way rejoicing that he had fared no worse.

For highly finished oil Photographs, for plain Photographs, Ambrotypes, Melanotypes, and in fact every thing in the picture line, we say go to Clarke's.

There are two things that become early impressed upon every mother's mind: the necessity of a frequent resort to worm medicine with their children; and the great difficulty that exists in getting children to take the proper medicine. This last difficulty Dr. Ball has obtained in his *Tepele Worm Destroyer*—children eat the lozenges as readily as they can candy, and the cure that follows is far more prompt and certain than it is from nauseous and sickening doses of worm seed oil and kindred abominations.

Sold by W. H. Averill, agent for Frankfort and vicinity.

THE STORM—NEGRO KILLED BY LIGHTNING.—The storm of Tuesday was exceedingly violent. Accompanying a great fall of rain were the most vivid flashes of lightning and terrible crashes of thunder. We learn that a negro man belonging to Mrs. Elizabeth Ballard, of this county, was struck and instantly killed while standing near the house. The rivets were melted from a knife in the hands of a man near by without injuring him at all.—Richmond Messenger.

GOOD GRUDS FOR A DIVORCE.—One of the members of the Covington bar had business yesterday in the Boone County Court. While awaiting the calling up of a suit in which he was employed as counsel, a divorce case came up, in which a Mrs. Constantine asked to have a dissolution of partnership with her husband, Mr. Constantine, pleading brutal treatment. Judge Nuttall, after hearing the testimony which was pretty hard against the defendant, delivered his opinion in brief, as follows: Addressing Mrs. Constantine, the defendant, he said: "We read in history of a certain Emperor of the same name which you bear, but he was unlike you—he was a good man—a gentleman who scorned the idea of abusing a woman. Tell you, sir, he never dragged his wife out of doors by the heels. Had you, in the case, dragged your wife out of doors by the head, instead of the heels, there might have been a shade of excuse for you! Mr. Clerk, enter up a decree of divorce for Mrs. Constantine. Court is adjourned."—Cin. Enquirer.

## The Case of Turner.

Mr. Editor: I regret that the Editor of the Commonwealth thought proper to publish, in its issue of the 10th inst., a rude attack upon the decision of the Appellate Court in this case.

The article alluded to does not attack the opinion alone, but it makes a vile personal assault upon the court.

The first paragraph of the publication reads thus: "The opinion of the Court of Appeals in this case has not surprised those who are familiar with it. The parade at Frankfort at the hearing of the case, and the ready departure of the court from its uniform practice in the argument, indicated to these that the question to be determined was not so much whether the defendant was guilty of the charges alleged against him, but how much external pressure the court could bear and do its duty. And the solution of that question is to be found in the opinion delivered." Surely there cannot be found a just man in this Commonwealth, or out of it, who will not disapprove of the publication of this paragraph.

Let us examine the charge brought forward; and first, the departure of the court from its uniform practice in the argument. We suppose the allowance of three speeches on each side is what is here alluded to. Now, in the first place, this was in accordance with the desire of both parties—two additional counsel having been engaged to aid the Attorney General in arguing the case. Again, the court has, in other cases of great importance to the parties, such as the case for the office of jailor of Jefferson county, allowed more than three counsel on each side to speak in the same case.

Next, the parade at Frankfort at the hearing of the case is complained of. This case was set for hearing on the first Monday in December last, the same day that the Legislature met, and of course there was a considerable concourse of people in Frankfort that week.

There were probably few persons from Madison county than any other large county so little distant from Frankfort. So far as I had a chance of knowing or hearing, there was no parade about the court on the part of Turner's friends. The case excited considerable interest, and many members of the Legislature were at Frankfort called to that place on other business, attended the court and listened to the argument. This was done in a modest, unobtrusive manner, and their attendance was a matter over which the court had no control. Two of the counsel who argued the case for Turner differed with him in politics.

The critic of the communication, however, thinks that the matters above adverted to indicated that the question to be determined was "not so much whether the defendant was guilty of the charges alleged against him, but how much external pressure the court could bear and do its duty." The imputation contained in this last sentence is too gross for the conception and utterance of any man not morally degraded. It is the first time that we ever heard, from any source, how any person, in any position, has been so grossly imputed, an imputation against the uprightness and integrity of each and all of the incumbents of the Appellate Court, and I do not believe that four men could be found in this whole Commonwealth more pure and upright in all their purposes, acts, and intentions, than the judges of this court. I will not, however, inflict upon your readers at present a more extended notice of this degrading paragraph.

The communication under consideration, in the next place, remarks upon the decision of the Appellate Court in the question of jurisdiction. It says: "After the decision of Rice's case, (18 Ben Monroe,) the counsel and the circuit judge regarded this subject as at rest, and it never would have been mooted but for a rumor that the judge of the Court of Appeals had doubts upon this subject."

Whence did these rumors originate? I answer, that, so far as I am informed, they originated about, and traveled with a certain circuit judge who felt more solicitude about this case than did the accused or any other person; and it was him, so far as I am informed, who directed the circulation of the rumor in the Appellate Court to this question, hoping thereby to cause a re-argument of his conduct on the trial in the Circuit Court, and who expressed great indignation against the Appellate Court for allowing counsel properly to remark upon that conduct, as exhibited in the record on the hearing in the latter court.

I think that the question of jurisdiction by an appeal is quite clear, and we have the recorded opinion of the author of this communication in favor of the existence of the right. The Court of Appeals base their jurisdiction on the following paragraph of the Revised Statutes: "No appeal shall lie except where the judgment, order, or decree relates to an office, franchise, or freedom, or is against a divorce, or if the matter in controversy does not amount in value to \$100, exclusive of interest and cost."

In the opinion under consideration the Court of Appeals say that this provision of the Revised Statutes is not repealed by the Code of Practice, so far as it bears upon this case.

The author of the communication alleges that the court decided differently in the case of Orth & Co. against Clifty. (18 Ben Monroe.) Let us see how this matter stands. The case of Orth & Co. was in controversy of Orth was sixty dollars and fifty-six cents. When the interest up to the time the suit was commenced was added to the original debt, the whole amounted to over \$100, and it was contended, as the Revised Statutes required the debt to be \$100, exclusive of the interest and cost, that the appeal was not allowed. The Code of Practice, which was enacted after the Revised Statutes, allowed an appeal where the amount in controversy, exclusive of cost, was \$100 and the court decided that as the interest, as well as the principal, was in controversy, and they both amounted to more than \$100, the jurisdiction in that case was governed by the 875th section of the Code of Practice, which enacted that "all statutes and laws heretofore in force in this State, in any case so provided for by said Codes, or inconsistent with its provisions, were repealed."

The question, then, is, does this Civil Code provide for the case under consideration? Secondly, is the right to an appeal in the case inconsistent with the provisions of the Code?

If the answer to the first question is provided for by the Code, as we think it is, then the question is at an end, and the Court of Appeals had jurisdiction. I further contend that the allowance of an appeal in this case is not inconsistent with the Civil Code, and that it is a clear right under the Revised Statutes, an office and franchise both being in the controversy.

The 15th section of the Civil Code of Practice says: "The Court of Appeals shall have appellate jurisdiction over the final orders and judgments of all other courts of this Commonwealth, subject to the exceptions in the next section." The next and 16th section reads thus: "Where the action or proceeding is for the recovery of money or personal property, and the matter in controversy does not exceed \$100 in value, or in behalf of the defendant where the judgment of the inferior court is against him for money or personal property not exceeding in value \$100, unless reduced below that amount by a set-off or counter-claim, or where the judgment grants a divorce, or where the judgment or order is by the quarterly court, county court, police court, city or mayor's court, or justice of the peace, and an appeal is given by the quarterly or circuit court, the Court of Appeals shall have no appellate jurisdiction."

It is clear that the 15th section first quote gives the right to an appeal in this case, and this is not taken away by the 16th section.

It is furthermore clear that there is nothing in either of the sections quoted inconsistent with the several of Revised Statutes above referred to. The author of the communication under consideration contends that the 342d section of the Criminal Code is inconsistent with the section of the Revised Statutes on this subject, and also, of course, with the 15th and 16th sections of the Civil Code.

The 342d section of the Criminal Code reads thus: "The Court of Appeals shall have appellate jurisdiction in prosecutions for misdemeanors in the following cases only: Where the judgment is for a fine exceeding \$100, or for imprisonment exceeding fifty days, and where the judgment is for the defendant in a case where a fine exceeding \$100, or confinement exceeding fifty days, could have been inflicted."

indictment, which is not the mode of proceeding in this case.

The 6th section, title 1st, of the Criminal Code declares that all public offenses may be prosecuted by indictment, except, first, offenses of public officers, where a different mode of procedure is prescribed by law.

Now the proceeding in this case is against Turner as an officer of the court. The 181st section of the Criminal Code declares that issues of law shall be tried by the court; issues of fact in prosecutions, where the punishment of a free person is limited to a fine of \$16, shall be tried by the court; all other issues of fact shall be tried by a jury.

It is conceded by all that the case under consideration is properly triable by the court, and not by a jury, and hence I conclude it most clearly appears that the appellate jurisdiction spoken of in the 342d section of the Criminal Code applies only to prosecutions for misdemeanors or by indictment triable by a jury, and where the punishment is fine or imprisonment alone, and that said section is not inconsistent with, and does not provide for, an appeal in the cases provided for in the Civil Code or Revised Statutes.

When the case of Rice was tried, (18 Ben Monroe, 472.) Mr. Harlan, who appears as counsel for the prosecution in this case, was Attorney General, and then seemed to think as we do. In the following sentence from his brief: "The Code of Practice, section 15 and 16, will decide the question of jurisdiction. Section 15 gives this court final jurisdiction over the final judgments and orders of all other courts of this Commonwealth, subject to the exceptions in the section which follows. The present case does not come within the exceptions, and I am inclined to the opinion that the court has jurisdiction." The Court of Appeals in this case accordingly took jurisdiction, and decided the case on its merits.

The effect of the repealing clause of the Civil Code was construed as I now construe it in the case of Matterson & Co., vs. Briscoe, &c., (18 Ben Monroe, 573.)

I would remark further, that the 875th section, which contains the repealing clause, is a part of the Civil Code; and as there is no inconsistency between the section relating to appellate jurisdiction in the Civil Code and the Revised Statutes, the Code does not repeal the section, giving Appellate jurisdiction in the Statutes. There is no repealable clause in any person. That in the record of the court, and in the evening during that part of the trial that he attended, Judge Goodloe associated with Turner's adversaries."

I think this is a sufficient array of evidence to show that Judge Goodloe had a knowledge of the fact stated in Turner's affidavit. It must be recollected, that after Judge Goodloe determined to preside in this case, the issue did not all have any evidence to be taken on the trial, sustaining the objection made in Turner's last affidavit. I now proceed to quote from another part of the communication under consideration. "The legal question remains, did the defendant's affidavit, or either of them, render it legally incompetent for the Judge to preside?"

The argument of the Court upon this question is, that it can be called in question. It is this: "The constitution makes it the duty of the Legislature to provide by law for holding courts when the Judge from any cause failed to attend, or being in attendance, could not properly preside; and an act of the Legislature provides, 'Where, from any cause, the Judge of a Circuit Court fails to attend, or if in attendance, cannot properly preside in a cause or causes pending in each court, the attorney's who are present at such court shall elect one of its members then in attendance to hold the court for a session, who shall accordingly preside and adjudicate.' And as the act of 1815 entitles a party who makes affidavit that he did not believe the Judge would do him justice, or was prejudiced against him or his cause, to a change of venue, this was a case in which the Judge could not properly preside, and, therefore, the act of 1815 applied to civil cases alone, and not to misdemeanors, and was repealed by the Revised Statutes."

I remark on the above quotation that the Court of Appeals do not pretend that the act of 1815 is in full force. The law prior to 1815 gave a litigant no remedy against the prejudice, hostility, or malice of a circuit judge, who was mean enough to preside on the trial of his case. By the act of that year a change of venue for such cause was given in civil cases, when cause was shown by the affidavit of the litigant; but in criminal and penal cases there was no remedy, except by an application to the Legislature for a change of venue. These applications were frequent, and caused much trouble, delay, and expense. These grievances were well known to the convention who framed the new constitution.

That constitution requires the Legislature to pass a law providing for a special judge in all cases, whether civil, penal, or criminal. Its language is broad and comprehensive, and the clause of the Revised Statutes made in pursuance of the constitution is equally comprehensive.

The Court of Appeals, in their opinion, say that both the constitution and Statute embrace every description of case. The only occasion for reference to the Statute of 1815 was to show what had been considered at the time, grounds showing that a judge could not properly preside on the trial of a particular case, as a key to the construction of the constitution and Revised Statutes on this subject. And we think the court has very properly and satisfactorily settled this point.

I have already shown that this is a civil, and not a criminal or penal case, and hence the structures of the communication in relation to the 10th section of chapter 13 of the Revised Statutes, page 167, deserves very little notice. That chapter was on the subject of change of venue, and the repeal of the 10th section the right to a change of venue in a penal case does not now exist. No act of the Legislature has, however, repealed the right of a litigant to object for a proper cause to the judge of a circuit court, and to ask for the election of a special judge. The clause of the constitution, under the title of "Courts," is still in full force.

I will now notice another passage of the communication. "The effort of the court to give to the phrase for any cause; used in the constitution and Statute, 'relative to the disqualification of the Judge is absurd. The plain grammatical meaning of the sentence makes it relate to the failure of the judge to attend his court. It is shocking to think the Court of Appeals of Kentucky have so little knowledge of the grammatical construction of their mother tongue. I feel assured that neither of them were ever educated by Sam Willson or Dominus Thompson."

This paragraph outstrips any of the others. The author seems to have become frantic. It is impossible for any reason to give the construction to the constitution and Revised Statutes above contended for. The Statute is nearly in the same language as the clause of the constitution, so far as the latter goes. The section of the Statute reads thus: "When from any cause the Judge of the Circuit Court fails to attend, or if in attendance, cannot properly preside in a cause or causes pending in such court, the attorney's who are present shall elect one of its members, &c., &c. Now, this great critic of the English language contends that, under this clause there can be no election except when the judge fails to attend; and if he is in attendance, and cannot properly preside, no special judge can be elected. Really, the matter is so plain that there is no room for debate, among men who have ever risen even to the lower ranks of pedagogue.

I have but another part of this production to notice. It complains of the courts not deciding the case on the merits, and charges it with "dodging," and alleges that it decided the merits in other cases of a similar nature, and that the court preferred the charges in the case against Rice. Turner and his counsel urged upon the court, as appears by their brief on file, to decide the case on its merits.

The court, however, have given a reason, satisfactory to most persons, for not doing so. It is this: the court say up to the filing of Turner's affidavit, asking the election of another judge to try the case, Judge Goodloe had jurisdiction and power to act; and after those affidavits were filed his power ceased, except to make an order directing the election of another judge, and all of his subsequent acts in the case are invalid, and without judicial authority. This being the case, there was never any authorized adjudication on the merits, and the Court of Appeals could not properly inquire into and decide on the merits, when no decision had been given in the criminal court.

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James T. Pierce states: "That he was in court during the trial of this case at the June term, 1859, and that Judge Goodloe exhibited and evinced strong prejudice on the trial against defendant, Turner. William H. Higginstaff states: 'That William C. Goodloe, the Judge of the Madison Circuit Court, has been very hostile to defendant, Turner, for a number of years, and this fact is known to most of the prominent citizens of Madison county.'"

"He states that Judge Goodloe has been in the habit of manifesting his hostility to Turner while acting in his official character in court. Judge Goodloe exhibited on the trial of Turner in this case strong prejudices against him; a desire to evade evidence against Turner on the trial prejudicial to him. His conduct on the trial was far from being impartial."

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James B. McCreary states: "That Judge Goodloe has been very unfriendly with Spitzer Turner for years, and has displayed his hostile feeling to the prejudice of Turner and his clients. In the trial of this case he displayed his hostile feelings toward defendant, Turner, as was easily perceptible to any person. That in the record of the court, and in the evening during that part of the trial that he attended, Judge Goodloe associated with Turner's adversaries."

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by any person authorized to render one. The case of Champ referred to was in no such position. The offense of Rice, for which he was discharged, occurred in open court in the presence of the Judge. It was therefore not improper for the court to make a rule on him of its own mere motion. The Judge in that case did not go out and look up instruments to make use of in bringing up charges and prejudice them."

I am now done with this communication, and it need only be remarked, that instead of the Court of Appeals doing more than its duty in deciding on the Circuit Court opinions of Judge Goodloe, it has been quite forthcoming.

Had the Court of Appeals set forth the tergiversations and falsehoods certified by him in the Payne case, proved to be false by eight or nine witnesses, and held up the author and his acts properly to the gaze of the moral portion of the community, this scurrilous attack would probably never have been made. Its author is certainly a bold, daring, man of great impudence.

This article has already grown too long, and I will close by saying that Mr. Turner, against whom this persecution has been raised, is a native of Madison county, Ky., between sixty-five and seventy years of age, a practicing lawyer for forty-five years, with probably the largest practice of any lawyer in Kentucky—strictly moral in all his habits; has been elected and served seven sessions as a member of the Kentucky Legislature; was a member of the late constitutional convention; was appointed by Gov. Crittenden, with the unanimous approval of the Legislature, to revise the statutes of Kentucky with Governor Wickliffe and Judge Nicholas, and discharged the duty to the satisfaction of the country. Major Turner always had the confidence of the community in which he lived, ardent in the pursuit of his profession and in the advocacy of its political principles, has in this way, like all other men who have cut much figure, made divers enemies; but he needs no further defense than the record in his case.

## SPECIAL NOTICE.

## The Mansion House.

Having taken back from Mr. L. C. the Mansion House Property, I desire to sell it and proposition may be made to T. S. & J. R. Page until the 15th of May. After that date I will dispose of it in parcels, to suit purchasers. Whether it shall any longer be used for Hotel purposes after that date I leave for the consideration of the citizens of Frankfort and Franklin county, as it cannot be expected that I should, alone, have it kept as a Hotel, when I can do much better with the property by disposing of it in lots.

april 14th 1890. A. G. HODGES.

## Spring Dry Goods.

GUTHRIE & BROTHERS invite the citizens of Frankfort and vicinity, and all those in want of the best and most attractive dress goods, to a large assortment of Dressing, Barege, Pine-Apple, Barege, Anglaise, Chamois, and a great variety of Poplins and medium goods. Elegant Robes, with five to fifteen flounces, in Greening, Barege-Anaile, Pine-Apple, and Orange. Special care has been used in the selection of Laces, Mantles of all grades, Parasols, Embroideries, and Linen Goods, with a heavy stock of Domestic and Foreign Goods of every description. The best brands of seasonable DRY GOODS can now be had at very low prices, east side of Fourth, between Market and Jefferson streets, Louisville, Ky. mar 24 wdt-wtf

## Eissoluti n.

The firm of PAGE, GAINES & PAGE was, on the 23d of January, 1890, dissolved by mutual consent. T. S. & J. R. Page retaining the Dry Goods and Queensware Establishment, with the notes and accounts of said firm. Their business will be settled up by T. S. & J. R. Page—W. A. Gaines retaining the Hardware and Grocery. Both establishments will be carried on at the same stands, where we will be pleased to serve our old patrons, and as many new ones as can make it to their interest to patronize us. T. S. & J. R. PAGE, feb 6 dwt-f.

## School Notice.

Having been frequently solicited to take small boys into my school, I have consented to take six or eight boys for the next session, which will commence the 1st Monday in February, proximo. I have also room yet for several girls. School room at Mrs. Montgomery's, on High street, (next door to the Governor's) where persons desirous of entering pupils will find me. J. B. THARP. jan 24 dwt

## Something New.

BLOOD FOOD! BLOOD FOOD!! TO MOTHEES! TO MOTHEES!! Red-rot, read, and net. See Advertisement in another column. Sold by W. A. AVERILL and J. M. MILLS. jan 25 wdt-wtf

Prof. O. J. Wood's Celebrated Hair Restoration restores gray hair to its original color, brings new hair upon bald heads, removes all dandruff and itching, &c. See advertisement containing certificates in another column. Sold by W. H. AVERILL and J. M. MILLS. jan 7 dwt-wtf

The Mustang Liniment cures Rheumatism; The Mustang Liniment cures Stiff Joints; The Mustang Liniment cures Backward Wounds; The Mustang Liniment cures Sore Throats, Croup, Croup, and Sore Throats; Neuralgia, Corns, and Warts, and is worth 1,000,000 DOLLARS PER ANNUM.

To the United States, as the preserver and restorer of valuable Horses and Cattle. It cures all Sprains, Galls, Wounds, Stiff Joints, &c. Did you ever hear of an ordinary Sore, Swelling, Sprain, or Stiffness, either on man or beast, which the Mustang Liniment would not cure? Did you ever visit any respectable Druggist in any part of the world—in Europe, Asia, or America—who did not say "it was the greatest discovery of the age?" Sold everywhere. Every family should have it; three sizes. BAINES & PARK, Proprietors, New York. apr 1 wdt-wtf

## MARRIED.

On the 5th inst., by Prof. Campbell, Mr. J. T. HUBBERT, of Scott county, and Miss VICTORIA GOWIN, of Fayette. apr 1 wdt-wtf

## Notice.

ALL persons indebted to the estate of John P. A. (deceased), are requested to come forward and settle with the undersigned, who is the administrator of said estate, as requested to present them for settlement. MATILDA W. READING, apr 1 wdt-wtf

## CITY ORDINANCE.

OFFICE CITY CLERK, Frankfort, Ky., April 1, 1890. ORDERED, That the owners of lots and fractions of lots on both sides of St. Clair street, from its intersection of Merz street, north, to the foot of the hill, and the owners of lots and fractions of lots on both sides of Clinton street, from its intersection of St. Clair street, east, to Ann street; and the owners of lots and fractions of lots on the north side of Clinton street, from its intersection of Washington street, west, to Wilkerson street; be, and they are hereby, required to grade and macadamize the franchises of lots on the north side of Merz street, from Mrs. Mary Gore's corner, west, to



